



**City of Nashua**  
**Planning Department**  
229 Main Street  
Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090  
WEB [www.nashuanh.gov](http://www.nashuanh.gov)

**VARIANCE APPLICATION (ZBA)**

**PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL NOT BE ACCEPTED**

**I. VARIANCE INFORMATION**

1. ADDRESS OF REQUEST 35 Edgewood Avenue

Zoning District R-A

Sheet 60

Lot 97

2. VARIANCE(S) REQUESTED:

We request a variance to allow exception of the required 10' side lot set back (south side of property) to allow the construction of a new two car garage where a breezeway and single car garage currently stand.

**II. GENERAL INFORMATION**

1. **APPLICANT / OPTIONEE** (List both individual name and corporate name if applicable)

(Print Name): Christine and Carl Robbins

Applicant's signature Christine Robbins Carl Robbins

Date 01/07/2022

Applicant's address 44 Edgewood Avenue, Nashua, NH 03064

Telephone number H: 603-595-8466

C: 603-320-7466

E-mail: christinerobbins@comcast.net

2. **PROPERTY OWNER (Print Name):** Elizabeth E. Robbins

\*Owner's signature Elizabeth E. Robbins

Date 01/07/2022

Owner's address 35 Edgewood Avenue, Nashua, NH 03064

Telephone number H: N/A

C: 603-318-9906

E-mail: N/A

\*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

**OFFICE USE ONLY**

Date Received \_\_\_\_\_

Date of hearing \_\_\_\_\_

Application checked for completeness: CF

A# 22-0007

Board Action \_\_\_\_\_

\$ \_\_\_\_\_ application fee ☐

Date Paid \_\_\_\_\_

Receipt # \_\_\_\_\_

\$ \_\_\_\_\_ signage fee ☐

Date Paid \_\_\_\_\_

Receipt # \_\_\_\_\_

\$ \_\_\_\_\_ certified mailing fee ☐

Date Paid \_\_\_\_\_

Receipt # \_\_\_\_\_

Land Use Code Section(s) Requesting Variances From: \_\_\_\_\_

**III. PURPOSE OF REQUEST**

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. Attach additional sheets if necessary. See "Procedures for Filing a Variance" for further information.

1. **Granting of the requested variance will not be contrary to the public interest, because:** (The proposed use must not conflict with the explicit or implicit purpose of the ordinance, and it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

Granting of the requested variance will not be contrary to the public interest, because the proposed new construction will directly replace the existing structure that has been in place at the 6' encroachment since the building of the house in 1951.

2. **The proposed use will observe the spirit of the ordinance, because:** (The proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

The proposed use will observe the spirit of the ordinance, because the proposed construction/renovation complies with the use requirement and meets the front, back and northerly side lot set back requirements. It is not feasible to modify the plan to conform/comply to the side lot setback zoning requirement due to where the house was established on the lot back in 1951. The proposed construction/renovation represents the least intrusive solution possible.

3. **Substantial justice would be done to the property-owner by granting the variance, because:** (The benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

Substantial justice would be done to the property-owner by granting the variance, because it would allow for better use of the property without serious injustice to the abutters, and it is apparent by visual review of the other homes on the same street or by review of an assessor's map that many of the existing homes on this street do not meet ALL of the current building restriction setbacks.

4. **The proposed use will not diminish the values of surrounding properties, because:** (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

The proposed use will not diminish the values of surrounding properties, because the construction/renovation will enhance the existing dwelling, will be built in keeping with the aesthetic sense of the neighborhood and contribute to a higher resale value of the property.

5. **Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship, because:** (The applicant must establish that because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship, because of the unique placement of the house on the lot prevents alternative development. This property has been used in the same manner, encroaching the 10' setback since 1951 before the zoning ordinance became effective.

#### IV. USE VARIANCE ADDITIONAL INFORMATION

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

- a. Total number of employees  Number of employees per shift
- b. Hours and days of operation
- c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors
- d. Number of daily and weekly commercial deliveries to the premises
- e. Number of parking spaces available
- f. Describe your general business operations:

- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation:

*I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction. I understand that only those points specifically mentioned are affected by action taken on this appeal.*

Christine Robbins Carl Robbins  
Signature of Applicant

1/7/2022  
Date

Christine and Carl Robbins

Print Name

01/07/2022

Date

The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below:

☐ I will pick it up at City Hall

☐ Please email it to me at

☐ Please mail it to me at

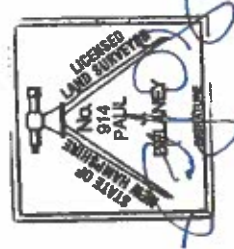


VICINITY MAP



**CERTIFICATION:**

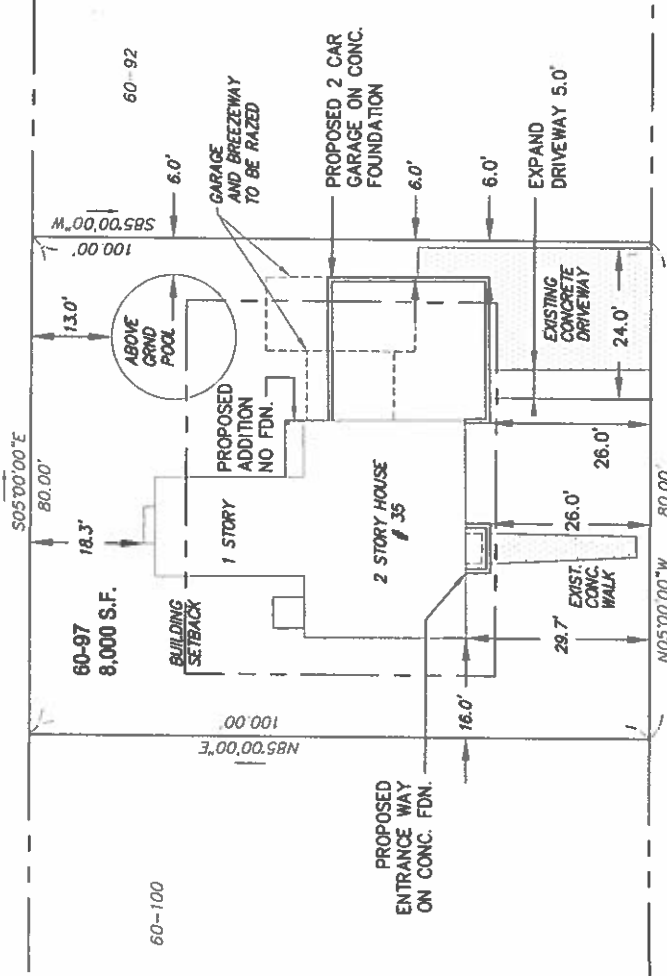
I CERTIFY THAT THIS PLAN WAS PREPARED BY THIS OFFICE UNDER MY DIRECT SUPERVISION BASED ON FIELD WORK CONDUCTED BY THIS OFFICE DURING DECEMBER, 2021.



**NOTES:**

1. PROPERTY LOCATION  
35 EDGEWOOD AVENUE  
NASHUA, NH  
TAX MAP 60 LOT 97
2. HILLSBOROUGH COUNTY REGISTRY OF DEEDS REFERENCE:  
DEED BOOK: 5588 PG. 558
3. CURRENT ZONING: R-4  
PRINCIPAL BUILDING SETBACKS:  
FRONT: 25' SIDE: 10' REAR: 25'
- MIN. OPEN SPACE: 50% PROPOSED: 59%
4. THE PURPOSE OF THIS PLAN IS TO DEPICT THE PROPOSED IMPROVEMENTS ON THE SUBJECT PARCEL.
5. THE SUBJECT PARCEL DOES NOT LIE WITHIN A FLOOD HAZARD AREA ACCORDING TO THE FEMA "FIRM" - FLOOD INSURANCE RATE MAP, CITY OF NASHUA, COUNTY OF HILLSBOROUGH, NH MAP NO. 33011C0513D, EFFECTIVE DATE 8/25/08.
6. OPEN SPACE COMPUTATION

EXIST IMPERVIOUS = 2,838 SQ. FT.	RAZED = 442 SQ. FT.
EXIST IMPERVIOUS = 2,494 SQ. FT.	EXIST IMPERVIOUS = 2,494 SQ. FT.
PROPOSED IMPERVIOUS = 783 SQ. FT.	
TOTAL PROPOSED IMPERVIOUS = 3,282 SQ. FT.	
LOT AREA 8,000 SQ. FT.	
TOTAL PROPOSED IMPERVIOUS = 3,282 SQ. FT.	
OPEN SPACE = 4,718 SQ. FT.	
	4,718 / 8,000 = 59%



EDGEWOOD AVENUE



**Certified Plot Plan**  
35 Edgewood Avenue  
Nashua, NH  
Tax Map 60 Lot 97

prepared for:

Elizabeth Robbins  
35 Edgewood Ave  
Nashua, NH

**GATE CITY SURVEY**

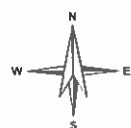
Land Surveying & Civil Engineering

WWW.GATECITYSURVEY.COM

1 Tan Boulevard - Suite 200 - Nashua, NH 03062 Tel: 603-882-4655  
Project: 21137 Scale: 1" = 20' Date: 12/20/2021 SHEET: 1 OF 1



# 35 Edgewood Ave



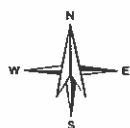


## 35 Edgewood Ave





## 35 Edgewood Avenue



0 37.5 75 150 Feet

